

PLANNING COMMISSION

October 26, 2016

Action Minutes

WELCOME

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Abelite, Pham, Ballard, Bit-Badal and Vora

ABSENT: Commissioners Allen and Yesney

SUMMARY OF HEARING PROCEDURES

1. PUBLIC COMMENT

None

2. DEFERRALS AND REMOVALS FROM CALENDAR

- a. **The Alameda Urban Village Plan** is prepared by the City and community to provide a Policy framework to guide new job and housing growth within the Urban Village boundary and guide the preservation of existing neighborhoods and historic buildings. The Plan will also guide the characteristics of the future developments, including buildings, parks, plazas and public art, streetscape and circulation, and financing within this area. This Plan supports the identified growth capacity for this Urban Village in the Envision San José 2040 General Plan, providing the capacity for development of approximately 411 new dwelling units and 1,610 new jobs (483,000 square feet of commercial space). CEQA: Envision San Jose 2040 General Plan (Resolution No. 76041, November 1, 2011). **PROJECT MANAGER, LEILA HAKIMIDAEH**

1. DEFERRED TO THE 11/16/16 PLANNING COMMISSION MEETING PER STAFF REQUEST (5-0-2, ALLEN & YESNEY ABSENT)

Access the video, agenda, and related reports for this meeting by visiting the City's website at:

<http://sanjoseca.gov/index.aspx?NID=1763>

- b. The project being considered is located on an approximately 39.9 gross acre site, at the southeasterly corner of North First Street and Liberty Street (4701 North First Street and 1561 & 1537 Liberty Street) (Sainte Claire Corp., Owner). Council District 4. CEQA: Mitigated Negative Declaration for the “Topgolf at Terra Project”. **PROJECT MANAGER, JOHN TU**

GPT16-001. General Plan Text Amendment to the Alviso Master Plan to modify the height restriction for a portion of area within the “Village Area” from 45 feet to 65 feet for buildings and allow non-structural uses such as energy saving devices, wireless communication antennae, net poles, and other associated structures to a maximum height of 170 feet.

PDC16-013. Planned Development Rezoning from the CN Commercial Neighborhood and RM Multi-Family Residence Zoning Districts to the CIC(PD) Planned Development Zoning District, to allow up to 72,000 square feet indoor/outdoor recreation and entertainment use (Topgolf), a 200-room hotel, and up to 110,000 square feet of commercial/retail space.

1. DEFERRED TO THE 11/16/16 PLANNING COMMISSION MEETING PER STAFF REQUEST (5-0-2, ALLEN & YESNEY ABSENT)

3. CONSENT CALENDAR

- a. **CP16-021 (Administrative Hearing).** Conditional Use Permit to allow the replacement and relocation of an existing potable water pump station and motor control center, construction of a 188-square foot pre-fabricated metal canopy structure, construction of a new driveway with curb cut, installation of a new pedestrian gate in an existing six-foot fence, and removal of one ordinance-size tree, on a 1.51-gross acre site in the R-1-5 Single-Family Residence Zoning District located on southerly side of Franciscan Way, approximately 100 feet westerly of Paso Los Cerritos (San Jose Water Company, Owner). Council District: 10. CEQA: Exempt per CEQA Guidelines Section 15302(c) for Replacement or Reconstruction of Utility Facilities. **PROJECT MANAGER, RINA SHAH**

- 1. DETERMINED THE EXCEPTION IS IN ACCORDANCE WITH CEQA (5-0-2, ALLEN & YESNEY ABSENT)**
- 2. APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 16-047 (5-0-2, ALLEN & YESNEY ABSENT); REVISED RESOLUTION UPDATING CONDITION 18 TO CLARIFY THAT THE PROJECT IS REQUIRED TO PLANT SEVEN 24-INCH BOX LIVE OAK TREES ON-SITE, PER PLANS DATED SEPTEMBER 30, 2016.**

4. PUBLIC HEARING

- a. The projects being considered are located on an approximately 3.2 gross acre portion of a 23 gross acre site, at the east side of Dove Hill Road, approximately 500 feet north of Hassler Parkway (4200 Dove Hill Road) (Kuehne Stanislaus (TE) & Eleanora (TE), Owner). Council District 8. CEQA: Exempt, per Section 15270 which is intended to allow a screening of projects on the merits for disapprovals prior to the additional CEQA process where the agency can determine that the project cannot be approved. **PROJECT MANAGER, JOHN TU**

PDC14-051. Planned Development Rezoning from the A Agricultural to the A(PD) Planned Development Zoning District, to allow up to 290 units of assisted senior housing.

PD16-019. Planned Development Permit to allow the construction of an assisted senior housing with approximately 290 units (approximately 244,000 total building square feet).

1. **RECOMMENDED TO THE CITY COUNCIL CONSIDERATION OF THE EXCEPTION IN ACCORDANCE WITH CEQA (3-2-2, BALLARD & VORA OPPOSED; ALLEN & YESNEY ABSENT)**
2. **RECOMMENDED TO THE CITY COUNCIL THE DENIAL OF A DEVELOPMENT REZONING ORDINANCE AND PLANNED DEVELOPMENT PERMIT RESOLUTION (3-2-2, BALLARD & VORA OPPOSED; ALLEN & YESNEY ABSENT)**

- b. 1. [**PDC15-028.**](#) Planned Development Zoning to rezone from the CP Commercial Pedestrian Zoning District to the CG(PD) Planned Development Zoning District to allow up to 360,000 square feet of commercial space with 353,700 square feet of parking structures on 9.3-gross acre site. The project site is located on the north side of Samaritan Drive, approximately 700 feet east of the intersection of South Bascom Avenue and Samaritan Drive (2505-2577 Samaritan Drive) (Samaritan Properties LLC, Owner). Council District: 9. CEQA: Samaritan Medical Center Master Plan Project Environmental Impact Report. *Deferred from 9/28/16. & 10/12/16. PROJECT MANAGER, LEA SIMVOULAKIS*

THIS ITEM HEARD TOGETHER WITH ITEM 6.A.

1. **RECOMMENDED TO THE CITY COUNCIL CONSIDERATION OF THE SAMARITAN MEDICAL CENTER MASTER PLAN PROJECT ENVIRONMENTAL IMPACT REPORT AND ASSOCIATED MITIGATION, MONITORING, AND REPORTING PROGRAM (5-0-2, ALLEN & YESNEY ABSENT)**
 2. **RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF A PLANNED DEVELOPMENT ZONING ORDINANCE (5-0-2, ALLEN & YESNEY ABSENT)**
2. [**PDC15-029.**](#) Planned Development Zoning to rezone from the CP Commercial Pedestrian Zoning District to the CO(PD) Planned Development Zoning District to allow up to 115,250 square feet of commercial space with a 141,040 square foot parking structure on a 3.7-gross acre site, located on the south side of the terminus of Samaritan Court (2506-2515 Samaritan Court) (Samaritan Medical LLC, Owner). Council District: 9. CEQA: Samaritan Medical Center Master Plan Project Environmental Impact Report. *Deferred from 9/28/16 & 10/12/16. PROJECT MANAGER, LEA SIMVOULAKIS*

THIS ITEM HEARD TOGETHER WITH ITEM 6.A.

1. **RECOMMENDED TO THE CITY COUNCIL CONSIDERATION OF THE SAMARITAN MEDICAL CENTER MASTER PLAN PROJECT ENVIRONMENTAL IMPACT REPORT AND ASSOCIATED MITIGATION, MONITORING, AND REPORTING PROGRAM (5-0-2, ALLEN & YESNEY ABSENT)**
2. **RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF A PLANNED DEVELOPMENT ZONING ORDINANCE (5-0-2, ALLEN & YESNEY ABSENT)**

- c. [**PD14-014 \(Administrative Hearing\).**](#)

APPEAL of the Planning Director's decision to approve a Planned Development Permit to effectuate the Planned Development Zoning District (File No. PDC07-071) and allow a vertical expansion to an existing landfill, with no additional construction, on a 352 gross acre site in the A(PD) Planned Development Zoning District (1601 Dixon Landing Road) (International Disposal Corporation of California, Owner). Council District 4. CEQA: Newby Island Sanitary Landfill and the Recyclery Rezoning Project Environmental Impact Report, File No. PDC07-071. *Continued from 12/10/14; Deferred from 1/28/15; Continued from 2/11/15, 5/6/15, 6/24/15, 8/26/15 & 2/24/16; Deferred from 5/25/16; Dropped and re-noticed from 8/10/16. PROJECT MANAGER, REBECCA BUSTOS*

[**Previous Planning Commission Hearing Dates and Links for PD14-014**](#)

[**Public Correspondence received after May 6, 2015**](#)

1. DEFERRED TO THE DECEMBER 17, 2016 PLANNING COMMISSION MEETING PER STAFF REQUEST (4-0-2-1, ALLEN & YESNEY ABSENT; BIT-BIDAL ABSTAINED)

5. OPEN THE GENERAL PLAN HEARING (CONTINUED FROM OCTOBER 12, 2016)

6. GENERAL PLAN PUBLIC HEARING

- a. **GP15-014.** General Plan Amendment to change the Land Use/Transportation Diagram designation from Neighborhood/Community Commercial to Regional Commercial on a 9.3 gross acre site. The project site is located on the north side of Samaritan Drive, approximately 700 feet east of the intersection of South Bascom Avenue and Samaritan Drive (2505-2577 Samaritan Drive) (Samaritan Properties LLC, Owner). Council District: 9. CEQA: Samaritan Medical Center Master Plan Project Environmental Impact Report. *Deferred from 9/28/16 & 10/12/16.*
PROJECT MANAGER, LEA SIMVOULAKIS

THIS ITEM HEARD TOGETHER WITH ITEMS 4.B.1 & 4.B.2

1. RECOMMENDED TO THE CITY COUNCIL ADOPTION OF A RESOLUTION CERTIFYING THE SAMARITAN MEDICAL CENTER MASTER PLAN PROJECT ENVIRONMENTAL IMPACT REPORT, MAKING CERTAIN FINDINGS, STATEMENTS OF OVERRIDING CONSIDERATION, AND ADOPTION OF THE ASSOCIATED MITIGATION, MONITORING, AND REPORTING PROGRAM (5-0-2, ALLEN & YESNEY ABSENT)
2. RECOMMENDED TO THE CITY COUNCIL THE APPROVAL OF A GENERAL PLAN AMENDMENT RESOLUTION (5-0-2, ALLEN & YESNEY ABSENT)

8. CONTINUE THE GENERAL PLAN HEARING TO NOVEMBER 2, 2016

MOTION TO CONTINUE THE GENERAL PLAN HEARING TO THE NOVEMBER 2, 2016 PLANNING COMMISSION MEETING (5-0-2, ALLEN & YESNEY ABSENT)

9. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES

No Items

10. GOOD AND WELFARE

a. Report from City Council

10/18 City Council:

- *Amend Title 6 and 20: Medical Marijuana – suspend CEQA review due to low interest from community. Directed Staff to report back in June 2017.*
- *Rezoning of L1 to DC at South Montgomery (Planning Commission recommended approval).*
- *Denied appeal/CUP approval for CUP of Auto Detail.*

b. Review and Approve Action Minutes from [10-12-16](#)

Action Minutes Approved (5-0-2, Allen & Yesney absent) with correction of typo from “exception” to “exemption” on CEQA recommendation for items 3.a., 3.d., and 4.a.

c. Subcommittee Formation, Reports, and Outstanding Business

No Reports

d. Commission Calendar and Study Sessions

1. Review and Approve [2017 Planning Commission Meeting Schedule](#)

2017 Planning Commission meeting schedule approved (5-0-2, Allen & Yesney Absent)

e. The Public Record

No Items

ADJOURNMENT